

### **REMARKS**

In the non-final Office Action that was mailed on January 16, 2007, the Examiner rejected pending claims 1-3 and 6-15 and objected to the specification. Applicant has amended claims 8 and 13-15, and canceled claim 12. The amendments add no new matter. Accordingly, claims 1-3, 6-11 and 13-15 remain pending. Applicant respectfully requests reconsideration in view of the amendments and the following remarks.

#### **Specification**

The Examiner objected an informality in the specification. The Examiner contended that because "Windows" appears in Applicant's specification at page 2, it should be shown with a registered trademark symbol. The Examiner cited a Microsoft Corporation web page, <http://www.microsoft.com/library/toolbar/3.0/trademarks/en-us.msp>, that lists Microsoft Corporation's trademarks. Applicant's specification at page 2 refers not to "Windows," but rather to "Windows CE." (Applicant's specification, page 2, line 19). The web page cited by the Examiner does not include "Windows CE" as a trademarked name (though "Windows NT," for example, is included). As such, Applicant submits that it would be misleading to include a registered trademark symbol with the "Windows CE" name, and Applicant requests that the Examiner remove the specification objection.

#### **Claim Rejections – 35 U.S.C. § 112**

The Examiner rejected claims 14-15 under 35 U.S.C. § 112 as being indefinite. The Examiner contended that it is not clear how the computer program product is delivered to the device if it already resides in the device.

Applicant has amended claims 14 and 15 to recite that the computer-program product is "initially" delivered. The amendments add no new matter. Support for the amendments can be found throughout Applicant's specification as originally filed. Amended claim 13 is directed to a computer-program product that resides in a computer-readable storage medium of a computing

device. Without limitation, claims 14 and 15 are directed to implementations where the computer-program product is initially delivered to the computer-readable storage medium of the computing device by a program signal and a program carrier, respectively. Applicant submits that this is not inconsistent with the language of claim 13, and requests that the Examiner remove the 35 U.S.C. § 112 rejections of claims 14-15.

**Claim Rejections – 35 U.S.C. § 101**

The Examiner rejected claims 8, 11, 12 and 13 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended independent claim 8 to recite that the computer-program product is “embodied in a computer-readable storage medium.” Applicant has also amended claim 13 to recite that the computer-program product resides “in a computer-readable storage medium” of a computing device. The amendments add no new matter. Support for the amendments can be found throughout Applicant’s specification as originally filed. Applicant has canceled claim 12. Applicant submits that the Examiner’s non-statutory subject matter concerns have been addressed, and requests that the Examiner remove the 35 U.S.C. § 101 rejections of claims 8, 11 and 13.

**Claim Rejections – 35 U.S.C. § 102**

The Examiner rejected claims 1-3 and 6-15 under 35 U.S.C. § 102(a) as being anticipated by published document “UIML: An XML Language for Building Device-Independent User Interfaces,” by Marc Abrams and Contanrinos Phanouriou (hereinafter, “UIML”). Of these, claims 1, 8 and 13 are independent. Dependent claims 2-3 and 6-7 depend from claim 1; dependent claims 9-11 depend from claim 8; and dependent claims 14-15 depend from claim 13.

Applicant submits that independent claims 1, 8 and 13 each define subject matter that is patentable over the cited art, including UIML, as do the pending dependent claims.

UIML relates to a language that represents an interface in five parts: the interface structure, presentation style, content, actions taken in response to user interaction, and interconnection of the interface to application logic. (page 1, Abstract section). There are five

main elements in a UIML document. (page 4, UIML – Main Elements section). A structure element includes an enumeration of the set of interface parts comprising the interface, where each part is given an instance name and a class name. (page 4, UIML – Main Elements section). A content element specifies the content. (page 4, UIML – Main Elements section). A behavior element describes the behavior of the interface when the user interacts with it, and has an enumerated set of conditions and associated actions. (page 5, UIML – Main Elements section). A style element specifies presentation style that is device-specific for each class of interface parts, or for individual named instances of a class. (page 5, UIML – Main Elements section). A peers element specifies what widgets in the target platform and what methods or functions in scripts, programs, or objects in application logic are associated with the user interface. (page 5, UIML – Main Elements section).

Applicant submits that claim 1 defines subject matter that is patentable over UIML because UIML does not disclose or suggest all of the elements recited in Applicant's claim 1. For example, UIML does not disclose or suggest a method that includes "receiving an application specification document . . . having a statement with an indication to render the first and second objects," "interpreting the statement . . . to identify a presentation pattern for the assembly from predefined first and second presentation patterns according to the type of the device," and "rendering the assembly of the first and second objects on the user-interface according to the presentation pattern."

The Examiner contended that certain portions of page 3, page 5, and figure 3 of UIML disclose these aspects of Applicant's claim 1. (Office Action, pages 5-6). This is not correct. Nowhere does UIML disclose or suggest receiving a document having a statement with an indication to render first and second objects and interpreting the statement to identify a presentation pattern for the assembly from predefined first and second presentation patterns according to the type of the device. In contending that UIML does disclose these two limitations, the Examiner cited the same portion of the page 5 section "UIML as a meta-language." In particular, the Examiner cited "UIML document specifies a mapping of those names to a vocabulary specific to a particular target platform." (Office Action, page 6).

This is very different from the objects of different types and the predefined presentation patterns according to the type of device recited in Applicant's claim 1. For example, the UIML sentence that immediately follows the sentence cited by the Examiner reads, "[f]or example, if the target is Java AWT, the vocabulary might consist of the *java.awt* and *java.awt.event* class names, such as *Frame*, *Menu*, and *Button*." Even if these class names may correspond to objects, which Applicant does not concede, they certainly are not a predefined presentation pattern as recited in Applicant's claim 1. Neither does figure 3 of UIML disclose or suggest predefined presentation patterns or identification of a presentation pattern from predefined first and second presentation patterns according to the type of the device, in contrast to the Examiner's contention.

Neither is Applicant's claim 1 obvious in view of UIML. UIML does not provide any details concerning how objects are presented in user interfaces of various devices. While UIML mentions that it discloses an XML language that permits description of a user interface in a device-independent manner, (page 1, Abstract), no details are provided concerning how anything actually gets presented on a user interface. Mapping of names between platforms, as UIML discloses, is an abstract notion devoid of explanation or specifics that would permit one skilled in the art to arrive at the method of Applicant's claim 1.

Accordingly, claim 1 defines subject matter that is patentable over UIML.

Dependent claim 6 depends from claim 1, and thus is patentable over UIML for at least the reasons described above with reference to claim 1. Additionally, claim 6 recites "wherein the presentation pattern is identified according to the size (X) of the screen." The Examiner contended, in rejecting claim 6, that UIML discloses this aspect at figure 1, figure 3, and related discussion. (Office Action, page 7). This is not correct. Figure 1 of UIML simply shows a block diagram having two devices, and describes one as presenting information in English and the other as presenting information in French. Figure 3 also shows two devices, but does not show or describe differences in presentation, let alone differences in presentation based on screen size, and nowhere in UIML are these aspects disclosed or suggested. As described above, UIML does not disclose or suggest predefined presentation patterns, and certainly does not disclose or

suggest identifying a presentation pattern based on size of the screen of the device. Without limitation, Applicant submits that this provides at least an additional reason why claim 6 defines subject matter that is patentable over UIML.

Amended claim 8 recites a computer-program product having instructions that when executed perform the method of claim 1, and is patentable over UIML for at least the reasons described above with reference to claim 1, as are dependent claims 9-11.

Claim 13, as amended, is similarly patentable over UIML because UIML does not disclose or suggest all of the limitations recited in claim 13. For example, UIML does not disclose or suggest a computer-program product having a first sub-plurality of instructions that "form a theme-handler to evaluate a statement of the application specification document, the statement instructing to render the first and second objects in an assembly according to a device type specific presentation pattern for the assembly that is identified from predefined first and second visual presentation patterns," and a second sub-plurality of instructions that "form a navigation engine to select one of the first and second objects for interaction with a user to create inter-object relations with user-interface elements and data cursors."

The Examiner rejected claim 13 under the same rationale set forth in the rejection of claim 1. (Office Action, page 8). Applicant traverses. Nowhere in UIML is a theme handler of the type recited in claim 13 disclosed or suggested. Specifically, UIML does not disclose or suggest evaluating a statement of an application specification document that instructs rendering the first and second objects in an assembly according to a device type specific presentation pattern for the assembly that is identified from predefined first and second visual presentation patterns. Similarly, UIML does not disclose or suggest a navigation engine of the type recited in claim 13. Specifically, UIML fails to disclose or suggest selection of one of the first and second objects for interaction with a user to create inter-object relations with user-interface elements and data cursors. The Examiner has not contended that UIML discloses or suggests a theme handler or a navigation engine as recited in claim 13. Neither are these aspects of claim 13 obvious in view of UIML, for reasons described above with reference to claim 1.

For at least these reasons, claim 13 defines subject matter that is patentable over UIML, as do each of dependent claims 14-15.

Applicant submits that each of claims 1-3, 6-11 and 13-15 define subject matter that is patentable over UIML, and ask that the Examiner remove the anticipation rejections of these claims.

#### CONCLUSION

Applicant submits that claims 1-3, 6-11 and 13-15 are in condition for allowance, and requests that the Examiner issue a notice of allowance.

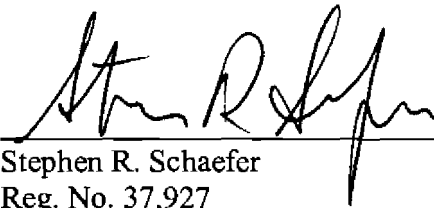
It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please charge Deposit Account No. 06-1050 in the amount of \$120 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

May 8, 2007

  
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